IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF JUNE TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
and
HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO : 12404 of 1993

Between:

1 G. Surayanarayana, Son of Sreerama Chandra Murthy
Subordinate Judge's Court, Amalapuram,
East Godavary District.

2 D. Sudhakara Rao, Son of Satyanarayana
Subordinate Judge's Court, Amalapuram,
East Godavary District.

3 G. Chandra Rao, son of Raja Rao
Subordinate Judge's Court, Amalapuram,
East Godavary District.

4 K. Satyanarayana, son of Jagannadham
Subordinate Judge's Court, Amalapuram,
East Godavary District.

5 T. Prakasa Rao, son of Buli Venkanna
Subordinate Judge's Court, Razole,
East Godavary District.

6 D.V. Ramana Rao, son of Appa Rao
Subordinate Judge's Court, Razole,
East Godavary District.

7 K. Sarveswara Rao, son of Late Gangulu
Subordinate Judge's Court, Razole,
East Godavary District.

8 P.K.Vasudeva Rao, son of Appa Rao
Subordinate Judge's Court, Razole,

East Godavary District.

9 M.S.Srinivasa Rao, son of Swamy Naidu
Subordinate Judge's Court, Razole,
East Godavary District.

..... PETITIONERS

AND

1 The Govt. of A.P., rep. by its Secretary, Finance & Planning (FW.TA) Department, Secretariat, Hyderabad.
2 The District Judge, East Godavary at Rajahmundry.
3 The Subordinate Judge, Amalapuram, East Godavary District.
4 The Subordinate Judge, Razole, East Godavary District.
5 The District Treasury Officer, East Godavary District at Kakinada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue as Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the G.O.Ms.No.74 Finance and Planning Department, dated: 25-3-1987 and G.O.Ms.No.216 Finance and Planning Department dated: 27-5-1993 as illegal, arbitrary, and discriminatory and consequently direct the respondents to sanction Rs. 30/- per month as Special pay with effect from 1-7-1986 and to pass such other or further order as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioners : MR.K.VENKATESH, Advocate.

For the Respondents : G.P. for Finance & Planning
Mr. C.V. Nagarjuna Reddy.

The Court Made the Following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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1. Counsel for the petitioners stated that similar writ petition pending in this court has since been disposed of with direction that on petitioners making representation to the respondents to consider their claim for grant of special pay and pass appropriate orders thereupon. He prayed that this writ petition be also disposed of in terms of those orders.

2. Petitioners are claiming sanction of special pay of Rs.30=00 per month with effect from 01.07.1986. There is only interim order passed in this case directing respondents to sanction special pay from 01.09.1993 and continue to pay the same every month till further orders with further direction that no payment regarding arrears shall be made and in the event of petitioners not succeeding, the amounts paid shall be recovered from the petitioners.

3. As other petitions are disposed of, we also dispose of this petition with direction that within a period of three months from today, petitioners will file a representation before the respondents, which, if filed, will be duly considered and appropriate decision will be taken thereupon in accordance with law and duly communicated to the petitioners. Till the decision is taken on the representation, no recovery will be effected from the petitioners. No costs.

ASSISTANT REGISTRAR.

// TRUE COPY //

SECTION OFFICER.

To

1 The Govt. of A.P. rep. by its Secretary, Finance & Planning (FW.TA) Department, Secretariat, Hyderabad.
2 The District Judge, East Godavary at Rajahmundry.
3 The Subordinate Judge, Amalapuram East Godavary District.
4 The Subordinate Judge, Razole, East Godavary District.
5 The District Treasury Officer, East Godavary District at Kakinada.
6. Two CCs to G.P. for Finance & Planning.
7. 2 CD copies.

VRK.

HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
AND
HON'BLE Ms. JUSTICE G.ROHINI.

W.P.NO. 12404 OF 1993.

(Order of the Bench delivered by
Hon'ble The Chief Justice)

Dt: 15.06.2004.

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